

ENTERED

June 26, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:) Chapter 11
)
Montrose Multifamily Members, LLC, <i>et al.</i> ,) Case No. 22-90323
)
Debtor.) (Jointly Administered)
_____)
)
Montrose Multifamily Members, LLC, <i>et al.</i> ,)
)
Plaintiffs,)
) Adv. No. 23-03033
v.)
)
CenterPoint Energy, Inc.,)
)
Defendant.)

AGREED ORDER DISMISSING COMPLAINT

WHEREAS, Montrose Multifamily Members, LLC *et al.* (“Plaintiffs”) were previously the chapter 11 debtors (the “Debtors” or “Plaintiffs”) in the above-captioned bankruptcy proceedings (the “Chapter 11 Cases”), now dismissed, in which this adversary proceeding was filed;

WHEREAS, Plaintiffs filed their *Complaint for Violation of the Automatic Stay and Application for Temporary and Preliminary Injunctive Relief* [Docket No. 1] (the “Complaint”) against CenterPoint Energy, Inc. (“CEI”) on March 9, 2023;

WHEREAS, on March 31, 2023, CEI, an incorrectly named defendant, and CenterPoint Energy Resources Corp. (“CERC”; and together with CEI, “Defendants”) filed their Answer and Affirmative Defenses to the Complaint [Adv. Pro. Docket No. 15];

WHEREAS, by Order entered April 11, 2023, the Court dismissed the Chapter 11 Cases as of April 4, 2023 due to all of the Plaintiffs’ Properties having been foreclosed upon;

WHEREAS, on June 6, 2023, Defendants filed their *Motion of CenterPoint Energy, Inc.*

and CenterPoint Energy Resources Corp. for Sanctions Under Federal Rule of Bankruptcy Procedure 9011 [Docket No. 22] (the “Sanctions Motion”), seeking sanction against Plaintiffs and their counsel, Tran Singh, LLP (“TS LLP”);

WHEREAS, Defendants’ counsel was informed by email dated June 7, 2023 that TS LLP no longer represents Plaintiffs; and

WHEREAS, the Plaintiffs have agreed to voluntarily dismiss this adversary proceeding on the terms set forth below.

It is therefore,

ORDERED:

1. The Complaint is hereby dismissed with prejudice; and
2. The Sanctions Motion is hereby withdrawn as settled.

Signed: June 26, 2023.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

Agreed by as to form and substance:

**MONTROSE MULTIFAMILY MEMBERS, LLC and
related Plaintiffs**

/s/ Susan Tran Adams
Susan Tran Adams
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and

/s/ Christopher Bran
Christopher Bran,
Manager, Bran Enterprises, LLC,
Manager of Montrose Multifamily Members, LLC
and related Plaintiffs
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Plaintiffs

-and-

SUSSMAN & MOORE, LLP

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